

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Sabetsky Confirmation No.: 3029  
Appl. No.: 10/792,376 Group Art Unit: 1654  
Filed: March 4, 2004 Examiner: H. Khanna  
For: ORAL INSULIN COMPOSITION AND METHODS OF MAKING AND  
USING THEREOF

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

This is in response to the Office Action dated October 3, 2006, in which the Examiner has required restriction between Group I (Claims 1-25); Group II (Claims 26-37); and Group III (Claims 38-40). Applicant hereby provisionally elects with traverse to prosecute the claims of Group II (Claims 26-37) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Applicants traverse on the ground that a combined search and examination of all claims can be conducted without serious burden to the Examiner. This is particularly so in relation to Groups II and III since all of Claims 26-50 are classified in class 424. As set forth in MPEP §803, under such circumstances, restriction is improper.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/rcagle/

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